

### **REMARKS**

The Office Action of February 24, 2003, has been reviewed and the comments therein were carefully considered. Claims 1-32 remain pending.

#### **Rejections under 35 USC § 112**

Claims 30 and 31 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite because of dependency errors. Claims 30 and 31 have been amended to depend from claim 28. The Applicant accordingly requests reconsideration of this rejection.

#### **Rejections under 35 USC § 102**

Claims 1-3, 7-8, 12-13, 15, 19, 23-24, 26-28, and 32 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Number 6,144,974 to Gartland.

Of the rejected claims, claims 1, 12, 23 and 32 are the only independent claims.

Claim 1 now includes the feature of “modifying at least a portion of the plurality of formatting variables based upon the user data and based upon optimized readability formatting values.” Optimized readability format values are described, for example, in table 8 on page 8 of the specification. Beginning on page 12, line 20, the specification describes how formatting variables are modified when going from the display of figure 4 to the display of figure 6. In response to a request to change the font reference value from small to large, formatting variables are modified based upon the user data and based upon optimized readability formatting values.

In contrast to what is claimed in claim 1, Gartland discloses a system for repositioning a content object on a page in response to a request to change the page framework. In column 4, lines

9-24, Gartland describes the page framework settings as including page size, orientation, margin width, column information and the positions of ruler guides. As shown in figure 2 and described in columns 3 and 4, after the user requests to change the framework, the page layout is redefined in step 204. As described in column 5, lines 27-29, alignment and reposition data is computed based on inferred relationships between the content objects and page framework members in the original page layout. The Gartland system is concerned with recasting content automatically on a page in response to a change in the page framework. *See* col. 2, lines 18-23. Gartland does not teach or suggest “modifying at least a portion of the plurality of formatting variables based upon the user data and based upon optimized readability formatting values.” Gartland does not address readability issues.

For at least these reasons, the Applicant respectfully submits that claim 1 is patentable over Gartland. Independent claims 12, 23 and 32 have also been amended to contain features relating to optimized readability formatting values and are allowable for similar reasons. The claims which depend from claims 1, 12, 23 and 32 are allowable for at least the same reasons as the claims from which they depend.

Claims 1-2, 5-6, 12-14, 17-18 and 23-25 stand rejected under 35 U.S.C. 102 (e) as being anticipated by U.S. Patent Number 6,493,734B1 to Sachs, et al.

Sachs et al. discloses a system for generating and switching page display views on a portable electronic book. In column 4, line 66 – column 5, line 14, Sachs et al. describes allowing the user to make a font size selection. Sachs et al. does not teach or suggest “modifying at least a portion of the plurality of formatting variables based upon the user data and based upon optimized readability formatting values,” as now claimed in claim 1. Sachs et al. does not discuss improving readability.

In fact, in column 5, lines 38-59, Sachs et al. teaches extracting text flow information directly from the ebook source files.

For at least these reasons, the Applicant respectfully submits that claim 1 is patentable over Sachs et al. Independent claims 12, 23 and 32 have also been amended to contain features relating to “optimized readability formatting values” and are allowable for similar reasons. The claims which depend from claims 1, 12, 23 and 32 are allowable for at least the same reasons as the claims from which they depend.

**Rejections under 35 USC §103**

Claims 4, 16, and 27 stand rejected under 35 U.S.C. 103 (a) as being unpatentable over Gartland.

Claims 4, 16 and 27 ultimately depend from independent claims 1, 12 and 23, respectfully and are allowable for at least the same reasons as the claims from which they depend.

Claims 9-11, 20-22, and 29-31 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Gartland in view of Microsoft Corporation, *Microsoft Word 6.0 User's Guide* (1994), pp. 113-115 and 142-144.

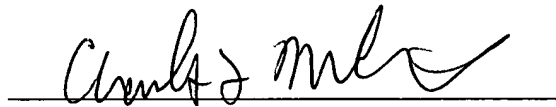
Claims 9-11, 20-22 and 29-31 are dependent claims and are allowable for at least the same reasons as the claims from which they depend.

**CONCLUSION**

In view of the above discussion, the Applicant respectfully submits that claims 1-32 are in condition for allowance. Reconsideration and allowance of claims 1-32 is respectfully requested. Should the Examiner believe that a conversation with the Applicant's representative would be useful in the prosecution of this case, the Examiner is invited and encouraged to call the Applicant's representative.

Respectfully submitted,

Dated: May 22, 2003

A handwritten signature in cursive script, appearing to read "Charles L. Miller", is written over a horizontal line.

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